

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RICOH COMPANY, LTD.,

ORDER

Plaintiff,

06-cv-462-bbc

v.

QUANTA COMPUTER, INC., QUANTA
STORAGE, INC., QUANTA COMPUTER
USA, INC., NEW UNIVERSE TECHNOLOGY,
INC. and NU TECHNOLOGY, INC.,

Defendants.

This case is scheduled for trial on November 9, 2009. In some of Ricoh Company, Ltd.'s pretrial submissions, it suggested that it would not be proceeding against defendants New Universe Technology, Inc. and NU Technology, Inc. at trial. In addition, defendants raised the question in their submissions whether plaintiff had any evidence of infringement with respect to defendant Quanta Computer USA, Inc. At the final pretrial conference, I told plaintiff to file a motion for voluntary dismissal with respect to New Universe and NU Technology if it did not intend to pursue any claims against those defendants. In addition, I asked plaintiff to notify the court of its intentions with respect to Quanta Computer USA.

In response, plaintiff has filed a letter in which it repeats that "it will not proceed at

trial against NU Technology, Inc. or New Universe Technology, Inc.” Dkt. #437. I construe plaintiff’s letter as a motion for voluntary dismissal of the complaint with prejudice with respect to these defendants and I will grant the motion. Plaintiff’s letter does not address Quanta Computer USA. It is requested that plaintiff inform the court no later than Thursday, November 5, 2009 whether it intends to proceed against that defendant at trial.

ORDER

IT IS ORDERED that plaintiff Ricoh Company, Ltd’s motion under Fed. R. Civ. P. 41 to dismiss the complaint with prejudice as to defendants NU Techology, Inc. and New Universe Technology, Inc., dkt. #437, is GRANTED.

Entered this 3rd day of November, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge